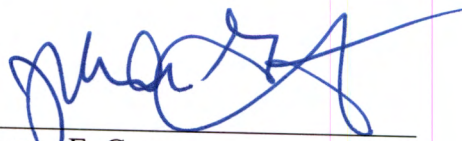


This case comes before the court on the emergency motion (D.E. 95) by plaintiff ALDI Inc. (“ALDI”) for leave to schedule the deposition of ALDI’s President, David Behm (“Behm”), for 6 August 2019. Defendants Lidl US, LLC, Lidl US Operations, LLC, and Lidl US Management, LLC (collectively “Lidl”) filed a memorandum in opposition to the motion (D.E. 96), and ALDI filed a reply (D.E. 97). Good cause having been shown, ALDI’s motion is ALLOWED. The deposition of Behm shall be conducted on 6 August 2019, or on a date as soon thereafter as the parties may agree upon in writing no later than 9 August 2019. As proposed by ALDI, Lidl is entitled to select either (1) ALDI’s payment for an economy or equivalent class airplane ticket for a Lidl attorney to travel from Pittsburgh to Raleigh the day before the deposition, as well as the cost of a single occupancy room at the Crabtree Marriott or equivalent hotel for the night before the deposition, or (2) ALDI’s production of Behm for deposition in Pittsburgh.

SO ORDERED, this 25th day of July 2019.



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James E. Gates  
United States Magistrate Judge